

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Donna Curling, et al.,

Plaintiffs,

CIVIL ACTION FILE

vs.

NO. 1:17-cv-02989-AT

Brad Raffensberger, et
al.,

Defendants.

~~~~~

VIDEO 30(b)(6) DEPOSITION OF  
COFFEE COUNTY BOARD OF ELECTIONS & REGISTRATION  
THROUGH  
WENDELL STONE

September 1, 2022

9:07 a.m.

Suite 3250, One Atlantic Center  
1201 W. Peachtree Street  
Atlanta, Georgia

S. Julie Friedman, CCR-B-1476

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Exhibit 0002 1-7-21 Screen Shots of Men 249  
Entering Front Door of Elections  
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Exhibit 0003 E-mail Chain Ending with Friday, 255  
May 7, 2021 1:51:10 PM E-mail,  
from Germany, to Feehan, et al.,  
Subject: RE: [EXTERNAL] RE:  
Dominion notice to Customers re:  
Chain of Custody, Ending Dominion  
089394

(Original Plaintiff's Exhibits 1 through 31 and  
Defendant's Exhibits 1 through 3 have been attached  
to the original transcript.)

1 THE VIDEOGRAPHER: Today's date is  
2 September 1st, 2022, and we are on the record at  
3 9:07 a.m. This will be the videotape 30(b)(6)  
4 deposition of Coffee County Board of Elections  
5 given by Wendell Stone.

6 Would counsel present please identify  
7 themselves for the record.

8 MR. CROSS: David Cross of Morrison &  
9 Foerster on behalf of the Curling Plaintiffs;  
10 and with me is my colleague, Adams Sparks.

11 MR. DELK: Steven Delk on behalf of the  
12 witness.

13 MR. MILLER: Carey Miller here on behalf  
14 of the State Defendants.

15 I will be having, joining me later Diane  
16 LaRoss also on behalf of the State Defendants.

17 THE VIDEOGRAPHER: Thank you.

18 Would the court reporter please swear in  
19 witness.

20 WENDELL STONE, having been first duly  
21 sworn, was examined and testified as follows:

22 CROSS-EXAMINATION

23 BY MR. CROSS:

24 Q. Good morning, Mr. Stone.

25 A. Good morning.

1 Q. Can you just state your full name for the  
2 record.

3 A. My name is Wendell Stone.

4 Q. So no middle name?

5 A. No middle name.

6 Q. Okay. And where do you currently live.

7 A. I live in Coffee County in the Ambrose  
8 community of Coffee County, Douglas as the county  
9 seat.

10 Q. Okay. What's your current address?

11 A. 125 Marv Day Road, Ambrose, Georgia  
12 31512.

13 Q. Okay.

14 MR. DELK: And, David, if I can just  
15 stipulate here at the beginning, I'll try to  
16 stay out of your hair. Mr. Stone is testifying  
17 solely today in a representative capacity on  
18 behalf of the Board, and no answer he provides  
19 will be representative of any of his individual  
20 thoughts or opinions or testimony in this case.

21 MR. CROSS: Okay. Understood. There  
22 maybe be some questions that get to him  
23 personally, but if they do we can --

24 Mr. Delk: Sure.

25 MR. CROSS: -- take them as they come.

1 Q. (By Mr. Cross) Okay. So, Mr. Stone, you  
2 understand you're -- you've taken the same oath you  
3 would take if you were testifying in a courtroom?

4 A. I do.

5 Q. Okay. Have you been deposed before?

6 A. No.

7 Q. Just briefly then -- I'm sure Mr. Delk  
8 has gone over it with you.

9 The court reporter next to you is going to  
10 take down everything we say. There's a video. It's  
11 just important that we not speak over each other, so  
12 she can get a complete record.

13 If you have any questions about anything I  
14 ask you, please just let me know. I'm happy to  
15 clarify.

16 If you want to take a break at any point,  
17 absolutely fine. The only thing is if there's a  
18 question pending, you have to answer that question  
19 before we break.

20 A. Thank you.

21 Q. Mr. Delk may object from time to time.  
22 You still have to answer the question unless he  
23 instructs you not to.

24 A. I understand.

25 Q. Okay. So you understand you're here

1       testifying as a representative on behalf of the  
2       Coffee County Board of Elections; is that right?

3             A.       I do.

4             Q.       Okay. And what did you do to prepare for  
5       today's deposition?

6             A.       To prepare for today's deposition, I read  
7       the subpoenas. I met with counsel.

8             Q.       And how long did you meet with counsel?

9             A.       You mean for a total, how long did I meet  
10       with counsel?

11            Q.       Yeah. About how long did you meet with  
12       counsel to prepare for today?

13            A.       I probably met with counsel for four  
14       hours.

15            Q.       Okay. And did you speak with anyone other  
16       than counsel to prepare for today?

17            A.       No.

18            Q.       Okay. Did you look at any documents?

19            A.       Other than the subpoenas, no.

20            Q.       Okay. All right. Let me hand you what  
21       we're going to mark as Exhibit 1.

22                    (Exhibit 1 was marked for identification.)

23            Q.       (By Mr. Cross) This is a copy of one of  
24       the deposition subpoenas. You can flip through it,  
25       and just tell me if you've seen this before.

1 MR. DELK: -- have no trouble with the  
2 Board.

3 MR. CROSS: I know. I'm kidding with you.

4 THE WITNESS: And -- and, again --

5 MR. DELK: Well, no. No.

6 MR. CROSS: Yeah. We're good.

7 THE WITNESS: Don't say --

8 MR. DELK: Wait till --

9 THE WITNESS: -- anything.

10 MR. DELK: -- the question's on the table.

11 MR. CROSS: Yeah. Yeah.

12 Q. (By Mr. Cross) All right. So just so  
13 we're clear, your testimony on behalf of the Coffee  
14 County Elections Board is that the Board itself was  
15 not aware of the events that you saw in the video  
16 that you reviewed for January 7 of 2021. The Board  
17 was not aware of those events before press reports  
18 came out in recent weeks; is that fair?

19 A. That's correct.

20 Q. Okay. But there's one exception at least  
21 to that, right, which is Eric Chaney?

22 MR. DELK: Object to the form.

23 THE WITNESS: Excuse me?

24 MR. DELK: I'm just stating an objection.

25 Listen to his question. Unless I tell you

1 that we expected to carry out the policies in  
2 accordance with the law and the requirements of the  
3 Secretary of State.

4 Q. Did the Board approve any of these  
5 individuals coming in to do what that they did on  
6 January 7 of 20 --

7 A. The Board --

8 MR. DELK: Make sure you let him finish  
9 his question. I know you know where you're  
10 going with it, but --

11 THE WITNESS: Yeah.

12 MR. DELK: -- just try to let him finish,  
13 so it makes everything --

14 THE WITNESS: You know me, Steve.

15 MR. CROSS: It's okay.

16 MR. DELK: Okay. You're doing fine.

17 Q. (By Mr. Cross) You were doing fine.

18 Let me try the question again just so we  
19 get it out.

20 Did the Board approve any of the  
21 individuals coming in on January 7, 2021, to be in  
22 the office and do any of the work they did there?

23 A. The Board did not approve that.

24 Q. Okay. Do you know whether Eric Chaney  
25 approved that on behalf of the Board or as a member

1 of the Board?

2 MR. DELK: Object to the form.

3 THE WITNESS: I do not know if Eric Chaney  
4 approved of that.

5 I will say any decision made requires a  
6 quorum of the Board.

7 Q. (By Mr. Cross) So Mr. Chaney would not  
8 have the authority on his own to approve that work?

9 A. No.

10 Q. Okay. And as you sit here, the -- the  
11 Board does not have any insight or understanding as  
12 to why Mr. Chaney was here for that work that  
13 occurred.

14 A. The Board -- The Board does not.

15 Q. Is that something the Board is looking  
16 into now?

17 MR. DELK: Object to form.

18 Q. (By Mr. Cross) Or are you relying on the  
19 State for that?

20 A. When the Secretary of State notifies us of  
21 its findings. As I said, as a Board, we have not had  
22 any official notice from anyone that our security  
23 was -- was breached; and when the Secretary of State  
24 notifies us, I'm sure we will properly investigate  
25 the situation.

1 Q. Do you know if any members of the Board  
2 have had any communications with Ed Voyles about his  
3 participation in the events?

4 A. I -- I don't -- I don't know.

5 Q. So we'll look through a few pictures in a  
6 moment.

7 But do I understand correctly? There has  
8 been no communication from anyone at the state level  
9 with the Board of Elections about what occurred in  
10 the Elections Office on January 7, 2021?

11 A. There has been no communication with the  
12 Secretary of State's Office.

13 Q. So to your -- To the knowledge of the  
14 Board, no one on a behalf of the State has, for  
15 example, contacted any of the individuals who were,  
16 you know, present for those events?

17 MR. DELK: I'll object to the extent -- I  
18 don't know if he's aware of any communication  
19 between respective counsel.

20 But subject to that, you can respond.

21 THE WITNESS: I'm not aware.

22 Q. (By Mr. Cross) And fair to say no one for  
23 the State has contacted any of the board members  
24 about the events of January 7th?

25 A. That's correct.

1                   The subject, "Coffee County." And  
2                   attachment, you see it says, "cyber ninja.pdf"?

3                   A.       I do.

4                   Q.       And if you flip to the next page, do you  
5                   see there's a -- a picture of what looks to be a  
6                   business card. It says "Doug Logan, Cyber Ninjas" in  
7                   the bottom left?

8                   A.       I do.

9                   Q.       And do you understand this is a business  
10                  card that Mr. Barnes reported to Mr. Harvey that he  
11                  found in the -- in the Elections Office attached at  
12                  the base of Misty Hayes' computer monitor?

13                  A.       Yes.

14                  Q.       Okay. And do I understand correctly that,  
15                  to the best of your knowledge on behalf of the Board,  
16                  no one on the Board was aware that Mr. Barnes had  
17                  made this report to the Secretary's Office until just  
18                  recently?

19                  A.       I don't recall the Board being notified of  
20                  that.

21                         MR. CROSS: And okay. 47.

22                  Q.       (By Mr. Cross) You can set that aside;  
23                  but just keep it close, 'cause we may look at it  
24                  again.

25                  A.       Okay.

1 A. I do.

2 Q. Are you aware of any contact anyone on  
3 behalf of the State had with anyone in Coffee County  
4 to investigate this report for Mr. Barnes?

5 A. And I'm not aware -- The Board is not  
6 aware any investigation.

7 Q. Do you have any insight into why the State  
8 did not follow up on an investigation that was called  
9 for by the state election director and the head of  
10 the investigative unit into what Mr. Harvey refers to  
11 as possible access to the voting equipment in Coffee  
12 County?

13 MR. DELK: Object --

14 THE WITNESS: I don't.

15 MR. MILLER: Object to form.

16 MR. DELK: -- to the form.

17 THE WITNESS: I don't.

18 Q. (By Mr. Cross) Is it a concern that when  
19 your -- your election supervisor alerted the  
20 Secretary's Office in May of 2021 to possible access  
21 to the Coffee County equipment, that there is no  
22 indication that any further -- any investigation was  
23 done with respect to contact with the County  
24 officials?

25 Is that a concern to the Board?

1 MR. CROSS: Yeah.

2 THE WITNESS: Uh-huh.

3 MR. DELK: You're doing okay. Just make  
4 sure he's done.

5 Q. (By Mr. Cross) Are you aware of  
6 communications between anyone in the Secretary's  
7 Office and the Coffee County Board regarding efforts  
8 to determine whether the EMS server or the ICC had  
9 been improperly accessed?

10 A. I'm not aware.

11 Q. Are you aware of whether the Secretary's  
12 Office has found any evidence that the EMS server was  
13 at some point improperly accessed?

14 A. I am aware of that.

15 Q. And how are you aware of that?

16 A. That information was shared by counsel.

17 MR. DELK: Well, I'm going to instruct  
18 you. Don't get into anything we've talked  
19 about. If he's referencing documents, you can  
20 discuss that; but anything else, do --

21 THE WITNESS: Okay.

22 MR. DELK: -- not discuss.

23 THE WITNESS: Well, I'm -- He asked me if  
24 I was aware of it.

25 Q. (By Mr. Cross) That's fine. That's fine.

1 A. Yes.

2 Q. Okay. Does the Board have any  
3 understanding about how the password or why the  
4 password stopped working for that server?

5 A. No.

6 Q. Was there any concern at the Board about  
7 the fact that that password no longer worked?

8 A. No.

9 Q. Do you recall in late 2020 a video went  
10 online with Misty Hampton and others in the Elections  
11 Office in Coffee County using the -- the voting  
12 equipment?

13 A. I do.

14 Q. And that video was actually filmed during  
15 an official Board meeting, right?

16 A. To my knowledge, yes.

17 Q. Were you there for that meeting?

18 A. Yes.

19 Q. Okay. What was the purpose of that video?

20 A. Now you're going to have to tell me which  
21 video you're referring to. Are you talking about --

22 MR. DELK: Let him ask the question, and  
23 you answer if you're able.

24 THE WITNESS: Well, he needs to --

25 MR. DELK: He's talking about the video

1           that was posted online.

2           THE WITNESS: The video that -- The  
3           YouTube video?

4           MR. DELK: Yes.

5           THE WITNESS: Okay. What was the purpose  
6           of that video?

7           You will have to ask Misty Hampton the  
8           purpose of that video.

9           I'm getting a cramp in my leg.

10          That as a Board member and as the Board  
11          participated in it, we were led to believe that  
12          the system was not secure, and my -- my belief  
13          is that that was the reason; but as I said,  
14          you'll have to ask Misty Hampton why that video  
15          was posted online.

16          We were led to believe in that video that  
17          things could be done to alter the outcome of an  
18          election. However, in retrospect, the things  
19          that we were shown had to be the -- the --  
20          the -- In the adjudication process, a person  
21          who has knowledge and training in the system is  
22          the person who could change the outcome of or  
23          the -- the voter's intent in some kind of way.

24          Now I couldn't do it. I don't have that  
25          training. You couldn't do it. I mean, nobody

1 in here could do it, unless they've had that  
2 training, and the person with the training at  
3 that time in our -- in our County was Misty  
4 Hampton.

5 That -- I just want to say this. That  
6 video was not posted with the approval of the  
7 Board of Elections. There was nobody that said  
8 are you in favor of this. That video appeared;  
9 and so, again, I'm going to say you will have to  
10 ask Misty Hampton why that video.

11 Q. (By Mr. Cross) Are you aware that  
12 somebody made an Open Records Request for that video?

13 Was the Board aware of that is what I  
14 mean.

15 A. An Open Records Request for that video?

16 Q. Before it went public?

17 A. I'm not aware of that.

18 Q. Are you -- Are you aware of any knowledge  
19 the Board has about Ed Voyles encouraging or  
20 facilitating an Open Records Request for that video?

21 A. I'm not aware of that.

22 Q. Are you aware the video posted online was  
23 put up by a local journalist?

24 A. I'm not aware of that.

25 Q. Was it the Board's understanding that

1 Fair to say it would be a serious concern  
2 to the Board of Elections if someone had left  
3 something behind in the system like malware that  
4 could alter votes or election outcomes?

5 A. I --

6 MR. DELK: Object to the form.

7 THE WITNESS: I would say that it's -- It  
8 would be a concern to the Board. Yes.

9 Q. (By Mr. Cross) And -- And given the  
10 extent of the intrusion that we've seen into the  
11 system, does the Board expect the State to undertake  
12 some measures to figure out whether that happened?

13 A. Yes.

14 Q. Do you think as the Board, it is  
15 appropriate to require voters in your County to vote  
16 on equipment that no one has looked to see whether it  
17 has been compromised, whether it still works?

18 MR. DELK: Object to the form.

19 THE WITNESS: The equipment in question  
20 has been removed; and, again, I'm going to say  
21 that the election equipment --

22 MR. CROSS: 33.

23 THE WITNESS: -- the election results are  
24 secure based on -- based on the knowledge and  
25 use of the computer operator --

1 now?

2 A. I have not.

3 Q. So do you understand that much of the  
4 equipment and devices used in Coffee County with  
5 elections, in fact, was not ever replaced and still  
6 has not been replaced with respect to what was  
7 accessed by the Sullivan|Strickler firm and others?

8 MR. DELK: Object to the form.

9 THE WITNESS: I'm -- I'm not aware  
10 because of my role as a Board member of what was  
11 actually replaced and what was left in the  
12 office.

13 Q. (By Mr. Cross) Okay.

14 A. My -- And if I say my assumption,  
15 Stephen's going to yell at me.

16 I'm not going to say. I mean, I'm not  
17 aware of the equipment that was replaced or was left.

18 Q. But your understanding on behalf of the  
19 Board is that the only equipment that was replaced  
20 was the EMS server and the ICC?

21 A. That was my understanding.

22 Q. Okay. And so is it a concern to the Board  
23 that compact flash drives, thumb drives, a variety of  
24 other equipment that also shows up in the documents  
25 produced by Paul Maggio that were copied and accessed

1 by the -- by this team, that that equipment has  
2 continued to be used for elections for a year and a  
3 half?

4 MR. DELK: Object to the form.

5 THE WITNESS: It would be a concern to the  
6 Board.

7 Q. (By Mr. Cross) It would be?

8 A. It would be.

9 Q. Okay. And do you think on behalf of the  
10 Coffee County Elections Board that it is appropriate  
11 to require -- to require your voters in Coffee County  
12 to vote using equipment and devices that was breached  
13 by third parties a year and a half ago?

14 MR. DELK: Object to the form.

15 THE WITNESS: The -- Well, I mean, we  
16 would look to the Secretary of State to ensure  
17 that our voting equipment is up to date and is  
18 free of any malware or any problems that may  
19 alter the outcome of an election.

20 Q. (By Mr. Cross) Right. But you've  
21 testified previously that you haven't received any  
22 assurances or communications at all from the  
23 Secretary of State's Office about this intrusion,  
24 right?

25 A. Not that I recall. No.

1 10:34 a.m. We are off video record. &&&

2 (Recess from 10:34 a.m. to 10:50 a.m.)

3 THE VIDEOGRAPHER: The time is 10:50 a.m.

4 We are back on video record.

5 Q. (By Mr. Cross) Mr. Stone, to go back to  
6 the video that -- that ended up on YouTube we talked  
7 about earlier, you were there when that video was  
8 filmed, right?

9 A. That's correct.

10 Q. Did the Board learn at some point that in  
11 that video, once it ended up on YouTube, there was a  
12 Post-it note with a password on it that was readable?

13 A. Yes.

14 Q. And what's the Board's understanding about  
15 what that password is used for or was used for?

16 A. The Board did not know what the password  
17 was for --

18 Q. All right.

19 A. -- which piece of equipment it opened.

20 Q. All right. Was that something the Board  
21 was concerned about when that information came to  
22 light, that some sort of password useable for  
23 equipment in Coffee County was on the Internet?

24 MR. DELK: Object to the form.

25 THE WITNESS: I don't know what the Board

1 would have thought about that.

2 Q. (By Mr. Cross) Oh. Let me ask a  
3 different question then.

4 A. Well, I mean --

5 Q. Go ahead.

6 A. -- I just want to say passwords are often  
7 changed; and so I mean, that's the nature of  
8 technology; and so --

9 Q. Was there ever any discussion at the Board  
10 level about the issue of this password being on the  
11 Internet?

12 A. Not that I recall. No.

13 Q. Oh. Are you aware of any outreach by the  
14 State to anyone in Coffee County regarding this  
15 password being on the Internet?

16 A. I'm not aware of that.

17 Q. Are you aware of any efforts made to  
18 change the password for whatever equipment that  
19 password was used for?

20 A. Beyond what James Barnes would have done,  
21 no.

22 Q. Okay. And you're not aware of Mr. Barnes  
23 actually changing any passwords on any equipment,  
24 right?

25 A. I'm not aware of that.

1 beard, the guy in the khaki pants, returning to the  
2 office, right?

3 A. Yes.

4 Q. The next page, January 19, 2021 at 6:19  
5 p.m., we see the same guy in the khaki pants in the  
6 doorway, right?

7 A. Yes.

8 Q. The next page, the same date, same time,  
9 but a few seconds later, who do you recognize in this  
10 photo?

11 A. Misty standing in the door, and that  
12 appears to be her daughter.

13 Q. In the white sweatshirt and jeans?

14 A. In the white sweatshirt.

15 Q. Okay. And it's those same two individuals  
16 we've just been looking at, right?

17 A. Yes.

18 Q. Okay. So it looks like at January 19,  
19 2021 at 6:00 p.m. Miss Hampton escorts those two  
20 individuals, the gray-haired guy and the guy in the  
21 khaki pants, out of the Elections Office, right?

22 A. Yes.

23 Q. All right. Does the Board have any  
24 insight as to what these individuals were doing in  
25 the Elections Office on January 18 and January 19 of

1 2021?

2 A. The Board has no idea why those people  
3 were in the Elections Office.

4 Q. Had you learned before this moment that  
5 these individuals were in the Elections Office then?

6 A. Before this moment?

7 Q. Yes.

8 A. Yes.

9 Q. All right. And when did you first learn  
10 that?

11 MR. DELK: And I will instruct him not to  
12 get into the details of what you discussed with  
13 counsel; but generally, you can respond.

14 MR. CROSS: I'm just looking for a  
15 timeframe --

16 MR. DELK: Sure.

17 MR. CROSS: -- not substance of  
18 communication.

19 THE WITNESS: Recently.

20 Q. (By Mr. Cross) Last few days?

21 A. Yes.

22 Q. Did -- have you seen --

23 Just yes or no. Have you seen the video  
24 that correlates to these screen shots for January 18  
25 and January 19 before today?

1           A.     January 18 and January 19, not to my  
2     knowledge.  No.

3           Q.     Okay.  And then same with Exhibit 7.  Were  
4     you aware before --

5           A.     What --

6           Q.     Sorry.  You can go back.  It's the one on  
7     the right.

8           A.     This (indicating)?

9           Q.     Yes, sir.

10                   Were you aware before today that the --  
11                   that the gentleman who visited the office on January  
12                   27 of 2021, as well as January 28 and January 29 --  
13                   were you aware before today that that individual was  
14                   in the Elections Office?

15           A.     No.

16           Q.     Do you recall at any point -- just yes or  
17     no -- reviewing the video that corresponds to those  
18     screen shots?

19           A.     What's the day?  What are the dates on  
20     this?

21           Q.     January 27 to 29.

22           A.     No.

23           Q.     All right.  So fair to say that the Board,  
24     to your knowledge, does not have any insight into why  
25     this individual was there or what he was doing?

1 recall.

2 MR. MILLER: Dave, are we marking Mr.

3 Lenberg's picture as an exhibit?

4 MR. CROSS: I wasn't going to, but I can.

5 MR. MILLER: I think for clarity of the  
6 record, it might be helpful, but do you really.

7 Q. (By Mr. Cross) Okay.

8 A. It appears to be the same person.

9 MR. CROSS: Okay. Do we have a copy we  
10 can upload for that?

11 MR. SPARKS: Oh, yeah.

12 MR. CROSS: Okay. All right. So we'll  
13 mark this picture as Exhibit 9. Is that right?

14 MR. DELK: Yeah.

15 MR. SPARKS: It will be nine.

16 MR. CROSS: Yeah. Hand it to you guys.  
17 We'll -- We'll make sure that gets into Exhibit  
18 Share.

19 (Exhibit 9 was marked for identification.)

20 Q. (By Mr. Cross) And to your knowledge, the  
21 Board does not have any information on why Jeffrey  
22 Lenberg would be in the Elections Office at any  
23 point?

24 A. That's correct.

25 Q. Do you any familiarity with Jeffrey

1 Lenberg?

2 A. I don't.

3 Q. Never heard of him?

4 A. Never heard of him.

5 MR. CROSS: All right.

6 MR. SPARKS: What are on, 9 or 10?

7 MR. CROSS: 10.

8 (Exhibit 10 was marked for  
9 identification.)

10 Q. (By Mr. Cross) All right. Let me hand  
11 you what's been marked as Exhibit 10. This is a  
12 collection of monthly Board meeting minutes that we  
13 received from the County.

14 And actually, before you look at that, do  
15 I understand correctly that the elections supervisor  
16 and the assistant to the elections supervisor, those  
17 individuals report to the County Board of Elections?

18 A. That's correct.

19 Q. Okay. So they work -- They work for the  
20 Board?

21 A. The elections supervise --  
22 You mean they're under their direction.  
23 Yes.

24 Q. Okay.

25 A. Yeah.

1 Q. Okay. And in preparing for your testimony  
2 today, did you speak with the current elections  
3 supervisor or assistant?

4 A. No.

5 Q. Okay. Did you speak with any former  
6 employees?

7 A. No.

8 Q. Oh. All right. So do you recognize  
9 Exhibit 10 as some of the Board meeting minutes?

10 A. I do.

11 Q. Okay. Flip to January 12th of 2021, the  
12 meeting minutes, if you would, please.

13 A. Okay.

14 Q. So these minutes reflect the discussion  
15 the Board had on a meeting -- in a meeting at 9:30  
16 a.m. on January 12th of 2021. Is that fair?

17 A. It is.

18 Q. There's no indication of these -- in these  
19 Board meeting minutes of any of the individuals that  
20 we had seen in the video that came into the office on  
21 January 7 and January 8; is that right?

22 A. That's correct.

23 Q. Was there any discussion in this Board  
24 meeting about those individuals coming into the  
25 office and what they did?

1 Q. (By Mr. Cross) How did the Board first  
2 learn about Mr. Chaney's resignation?

3 A. He -- He announced it.

4 Q. How?

5 A. In a meeting --

6 MR. CROSS: That will be eight.

7 THE WITNESS: In executive session.

8 Am I allowed to say executive session?

9 Q. (By Mr. Cross) When was that?

10 MR. DELK: I'll assert an objection about  
11 anything that was an executive session, if I can  
12 just have a standing objection on that.

13 THE WITNESS: He announced it.

14 Q. (By Mr. Cross) Okay. Let me hand you  
15 what's been marked as Exhibit 11.

16 (Exhibit 11 was marked for  
17 identification.)

18 Q. (By Mr. Cross) Do you recognize this as  
19 an e-mail that Eric Chaney sent to you and others on  
20 the Board on August 12th of 2022?

21 A. I think this was more recently.

22 Q. This is the day that he resigned, right?

23 A. Yes.

24 Q. And in fact, he indicates, "Please accept  
25 this letter as my formal resignation..." in the last

1                   You see that?

2                   A.     I do.

3                   Q.     And then the next one is a screenshot.  
4                   She says that the EMS server computer.

5                   Do you see that?

6                   A.     I do.

7                   Q.     Has there ever been any discussion at the  
8                   Board level about the fact that the computers used  
9                   with the ICC and the EMS server include software that  
10                  is not necessary for or used with running elections  
11                  in the County?

12                  A.     No.

13                  Q.     So to your knowledge, that's not something  
14                  that Miss Hampton or Mr. Chaney raised with the --  
15                  with the full Board?

16                  A.     No.

17                  Q.     Okay. Are you aware of any measures by  
18                  the State or the County to deal with the issue of the  
19                  poll pads connecting to the Internet?

20                  A.     No.

21                  Q.     Are you aware of any measures by the State  
22                  or the County to deal with any risk associated with  
23                  unnecessary software on the ICC and EMS computers?

24                  A.     Not aware.

25                  Q.     Fair to say that's something that the

1 County would rely on the State to deal with?

2 A. Yes.

3 Q. Okay. All right. Flip to -- All right.  
4 Flip to --

5 MR. CROSS: You all right, Julie? You  
6 need a break?

7 THE COURT REPORTER: I'm good.

8 MR. CROSS: Okay. Do they have the --

9 Q. (By Mr. Cross) So just to answer your  
10 question, Mr. Stone, Eric Chaney testified in his  
11 deposition in response.

12 Regarding these same screen shots, I asked  
13 him.

14 And there are three screen shots of poll  
15 pads, three photos of poll pads that Miss  
16 Hampton sent to you. Do you see that?

17 Yes.

18 And on the first one, she shows that the  
19 poll pad is accessing Netflix, right?

20 Yes.

21 And on the second one, she shows that the  
22 poll pad is accessing -- what is she -- What is  
23 that? Do you know what that is, some sort of  
24 game?

25 He says I'm not sure.

1                   One of the things that Miss Hampton had  
2                   raised as a concern with you and others was the  
3                   that the poll pads used in Georgia are connected  
4                   to the Internet, right?

5                   That's correct.

6                   So Mr. Chaney testified that this was  
7                   raised with him and others. But is it your testimony  
8                   that that concern was never raised with anyone else  
9                   on the Board?

10                  A.       It is.

11                  Q.       Okay. All right. Come back to Page 22.  
12                  So we're on January 6 of 2021, 4:26 p.m. in the  
13                  middle of the page. It's right down here  
14                  (indicating), if you see that.

15                         And you see Misty Hampton texts Eric  
16                         Chaney. Scott Hall is on the phone with Cathy about  
17                         wanting to come scan our ballots from the general  
18                         election like we talked about the other day. I'm  
19                         going to call you in a few.

20                         Do you see that?

21                  A.       I do.

22                  Q.       Was the Board aware that Scott Hall or  
23                             anyone else was coming in, in January of 2021 to scan  
24                             ballots?

25                  A.       The Board was not.

1 Q. So that's not something the Board  
2 authorized?

3 A. It is not something the Board authorized.

4 Q. Okay. And was the Board aware at or  
5 around this time that Eric Chaney, Cathy Latham, and  
6 Misty Hampton were working together to allow Scott  
7 Hall and others access to the Elections Office in  
8 early January of 2021?

9 MR. DELK: Object to the form.

10 THE WITNESS: The Board was not aware of  
11 that.

12 Q. (By Mr. Cross) Okay. Except for Mr.  
13 Chaney himself?

14 A. Except for Mr. Chaney.

15 MR. DELK: Object to the form.

16 Q. (By Mr. Cross) All right. Look at the  
17 top of the next page, January 7, 2021.

18 So this is 7:24 p.m. January 7, so this is  
19 the end of the day where we've seen from the video  
20 that various individuals came into the Elections  
21 Office and copied equipment.

22 Are you with me?

23 A. Yes.

24 Q. Okay. And Mr. Chaney sends to Misty  
25 Hampton a phone number.

1 before that that was her way of letting Mr. Chaney  
2 know that she had sent the cast ballots off to the  
3 individuals who wanted them?

4 A. I had not. Not before this minute right  
5 here.

6 MR. CROSS: 40. Thank you.

7 (Exhibit 15 was marked for  
8 identification.)

9 Q. (By Mr. Cross) All right. Let me hand  
10 you what's been marked as Exhibit 15.

11 A. Uh-huh.

12 Q. And this is Tab 40.

13 And I can tell you these are more text  
14 messages that were produced by Miss Hampton in  
15 response to the subpoena; and if you look at the top,  
16 it indicates the individuals who are on the thread.  
17 It says Messages - Andy Thomas, Earnestine  
18 Thomas-Clark, Eric Chaney, Matthew McC, and Wendell  
19 Stone.

20 A. Uh-huh.

21 Q. Do you see that?

22 A. I do.

23 Q. And those were all individuals on the  
24 Board for Coffee County Elections as of January 2021,  
25 right?

1 A. That's correct.

2 Q. Yeah. If you -- If you turn to the  
3 second page, at the bottom, there's a date of  
4 February 24, 2021 at 9:19 p.m.

5 Do you see that?

6 A. I do.

7 Q. And here, Misty Hampton texted you and  
8 others on the Board. "I have been asked to go speak  
9 at the rotary club tomorrow at noon. I was asked to  
10 talk about the election process."

11 Do you see that?

12 A. I do.

13 Q. So this is -- Do you recall that Miss  
14 Hampton was let go on February 25th of 2021?

15 A. That's correct.

16 Q. Okay. And then Matthew McC, that's  
17 Matthew McCollough, right?

18 A. That's correct.

19 Q. He responds Tony had mentioned us  
20 discussing any conversations about elections with him  
21 first. We have another new lawsuit and the  
22 possibility of another after that. So would prefer  
23 we check with him on any speaking engagements,  
24 interviews et, cetera.

25 Do you see that?

1 know.

2 A. Okay. I don't know under -- I don't  
3 understand what that's really referencing --

4 Q. Okay.

5 A. -- to tell you the truth.

6 Q. So if you look at all the folder names,  
7 it's Compact-Flash, Dominion-Supplied-Laptop, EMS  
8 Server, miscellaneous thumb drives, Polling-Pads,  
9 Reports, Tabulation System.

10 A. Uh-huh.

11 Q. Do you that?

12 A. I do.

13 Q. And what concerns does the Board have  
14 about the fact that SullivanStrickler, according to  
15 the hard drive that's been produced, copied about a  
16 half a terabyte of data across virtually all of the  
17 electronic equipment in the Coffee County Elections  
18 Office in January of 2021?

19 A. Well --

20 MR. DELK: Object to the form.

21 THE WITNESS: -- I'm sure that the Board  
22 would be concerned about this, but the Board has  
23 no knowledge of this, and so it's hard for me to  
24 say what concerns the Board would have. I --

25 Q. (By Mr. Cross) This is the first

1       you're -- you're learning of this?

2               A.       This is the first I'm learning of this.

3       Yes.

4               Q.       And to your knowledge, no one else on the  
5       Board was aware of this except for Eric Chaney?

6               A.       To my knowledge, that's correct.

7               Q.       Eric Chaney would be the only exception,  
8       since he was there?

9               A.       And --

10              MR. DELK: Object to the form.

11              THE WITNESS: And I don't know the answer  
12       to that. To tell you the truth, I don't know  
13       the answer to that.

14              Q.       (By Mr. Cross) Fair enough. Thank you.

15              MR. CROSS: All right. 35.

16              (Exhibit 28 was marked for  
17       identification.)

18              Q.       (By Mr. Cross) All right. Let me hand  
19       you what's been marked as Exhibit 28, and you can --

20              You're welcome to flip up through this. I  
21       don't have a lot of questions on it.

22              Mr. Stone, this is another document  
23       produced by Paul Maggio and the SullivanStrickler  
24       firm that was explained to us. It indicates  
25       individuals who were given access to the Coffee

1 Q. Okay. So were you aware that in June of  
2 2022, that agency, typically referred to as CISA,  
3 issued this advisory to all jurisdictions in the  
4 country using the Dominion Voting Systems that are  
5 addressed in the advisory?

6 Had you heard that before now?

7 A. No.

8 Q. All right. If you look at the summary, it  
9 explains here that, "This advisory identifies  
10 vulnerabilities affecting versions of the Dominion  
11 Voting Systems Democracy Suite ImageCast X, which is  
12 an in-person voting system used to allow voters to  
13 mark their ballot."

14 Do you see that?

15 A. I do.

16 Q. And you understand that's referring to the  
17 same BMD system used in Georgia?

18 A. Okay.

19 Q. Were you aware that this advisory -- It  
20 says that it sent this same advisory to the Secretary  
21 of State's Office in Georgia?

22 A. I'm not aware of that.

23 Q. So this is not something that the Board  
24 has received any information about, has it?

25 A. I don't recall that the Board got this.

1 me to answer that question.

2 Q. All right. And so when you say your  
3 understanding is the system is secure and reliable,  
4 you don't have any insight into what CISA found here  
5 and what the implications are of -- of the -- the  
6 intrusion we saw?

7 A. I don't.

8 Q. Okay. 'Cause that's not something that  
9 the Secretary of State's Office has been in touch  
10 with the Board about?

11 A. No.

12 Q. No one has been in touch with the Board  
13 about the vulnerabilities identified here, right?

14 A. To my knowledge, no.

15 Q. And no one has been in touch with the  
16 Board about what the access to the EMS and the other  
17 election equipment in January of 2021, what that  
18 means for the reliability of the system, right?

19 A. No.

20 Q. All right. Turn to third page. You'll  
21 see there's a heading, "3. Mitigations."

22 And here it reads, "CISA recommends  
23 election officials continue to take and further  
24 enhance defensive measures to reduce the risk of  
25 exploitation of these vulnerabilities. Specifically,

1 this.

2 Q. (By Mr. Brown) Do you know what that is?

3 A. This, the Hand Recount Recap.

4 Q. Do you know where -- where the plaintiffs  
5 in that case would have gotten that recap from?

6 MR. DELK: Object to the form.

7 THE WITNESS: I --

8 Q. (By Mr. Brown) If you --

9 A. I don't know.

10 Is this not a matter of public record?

11 Q. I'm not sure.

12 MR. DELK: Just answer the question, if  
13 you know it.

14 THE WITNESS: I don't know.

15 Q. (By Mr. Brown) You -- You may have been  
16 asked some these, and I'll just try to sum up quick  
17 on that.

18 Are you aware of any investigation of  
19 Coffee County by the Secretary of State, the SEB, or  
20 the GBI into the breach in January 2021 of Coffee  
21 County's election system?

22 A. I'm not aware.

23 Q. Have you been contacted by the F -- by the  
24 GBI?

25 A. I have not.

C E R T I F I C A T E

STATE OF GEORGIA:

County OF FULTON:

I hereby certify the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 282 represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

This, the 6th day of September, 2022.

A handwritten signature in cursive script that reads "S. Julie Friedman". The signature is written in dark ink and is positioned above the printed name.

S. JULIE FRIEDMAN, CCR-B-1476